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**UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF WYOMING**

STEPHANIE WADSWORTH, Individually  
and as Parent and Legal Guardian of W.W.,  
K.W., G.W., and L.W., minor children, and  
MATTHEW WADSWORTH,

Plaintiffs,

v.

WALMART, INC. and JETSON  
ELECTRIC BIKES, LLC,

Defendants.

Case No.: 2:23-cv-00118-NDF

JURY TRIAL DEMANDED

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**PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION TO  
EXCLUDE THE TESTIMONY OF RONALD SNYDER**

**COME NOW**, the Plaintiffs, Stephanie Wadsworth, individually and as parent and legal guardian of W.W., K.W., G.W., and L.W., minor children, and Matthew Wadsworth, (hereinafter "Plaintiffs") by and through their counsel of record Rudwin Ayala, Esquire and Morgan & Morgan, and submit their Response in Opposition to Defendants' Motion To Exclude the

Testimony of RONALD SNYDER filed on December 2, 2024. In support of this Response, Plaintiffs state as follows:

Defendants' contend that Plaintiffs' physiatrist and life care planner/vocational rehabilitation expert, Ronald Snyder's opinions are not based on sufficient facts, data, or methodology such that his opinions are deemed reliable because he did not review all medical records related to the patient. Despite these allegations, the evidence and case law support the conclusion that Snyder's opinions meet the reliability and admissibility standards set forth by Rule 702. Further, Snyder employed reliable methodology, and his opinions are necessary for a jury to understand the technical and scientific nature of design and manufacturing defect as related to this case.

**I. SNYDER'S OPINIONS COMPLY WITH RULE 702 REQUIREMENTS FOR EXPERT TESTIMONY.**

Before a Court can allow admission of expert witness opinions in a case, it must first determine if an expert's opinion meets Rule 702's standard for reliability and/or admissibility.

A proper Daubert analysis consists of three elements. (1) [T]he expert is qualified to testify competently regarding the matters he intends to address; (2) the methodology by which the expert reaches his conclusion is sufficiently reliable as determined by the sort of inquiry mandated in Daubert; and (3) the testimony assists the trier of fact, through the application of scientific, technical, or specialized expertise, to understand the evidence or to determine a fact in issue. United States v. Frazier, 387 F.3d 1244, 1260 (11th Cir. 2004). For the reasons set forth below, King's opinions are both reliable and admissible.

**A. SNYDER REVIEWED MEDICAL RECORDS, BUT MOST IMPORTANTLY HE EXAMINED MRS. WADSWORTH.**

To be admissible in federal court, expert opinions require not only a reliable methodology but also a sufficient factual basis and a reliable application of the methodology to the facts.

Magoffe at \*16. A “sufficient factual basis” under Fed.R.Evid. 702 does not necessarily require the facts or data upon which an expert bases his or her opinion to be independently admissible, so long as they are “of a type reasonably relied upon by experts in the particular field in forming opinions or inferences upon the subject.” Id.; Fed.R.Evid. 703. Any suggestion that an opposing expert must be able to “verify” the correctness of an expert's work before it can be admitted also misstates the standard for admission of expert evidence under Rule 702. Cook v. Rockwell Intern. Corp., 580 F.Supp.2d 1071, 1123 (D. Colo. 2006). Perceived flaws in expert's testimony, including that expert relied on an allegedly unreliable opinion by another expert, “are matters properly tested in the crucible of adversarial proceedings; they are not the basis for truncating that process.” Id.; citing United States v. 14.38 Acres of Land, 80 F.3d 1074, 1079 (5th Cir.1996).

Here, it is uncontroverted that Dr. Snyder conducted an examination of Mrs. Wadsworth at her residence. He not only reviewed available medical records, but he conducted an examination of her and interview. He applied his background, training, and experience treating other burn victims like Mrs. Wadsworth, and as a physiatrist was able to make determinations as to her future care needs. In fact, all of his methods were verifiable as provided in his report and through the recommendations of Mrs. Wadsworth’s providers, and as voiced by Mrs. Wadsworth according to her limitations. See Deposition of Ron Snyder, Exhibit 1; Report of Ron Snyder, Exhibit 2.

Based on the foregoing arguments, and authority, Plaintiffs respectfully request that this Court issue an Order Denying Defendants’ Motion To Exclude the Testimony of Ron Snyder filed on December 2, 2024 (Ref.: Doc#104 and 105).

Date: December 17, 2024

Respectfully Submitted,

/s/ Rudwin Ayala

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 17, 2024, a true and correct copy of the foregoing was electronically served to all counsel of record.

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